

REMARKS

Reconsideration and further examination of the subject patent application in view of the present Amendment and the following Remarks is respectfully requested. Claims 1-38 are currently pending in the application. Claim 1 has been objected to for informalities. Claims 1-7, 15-21, and 29-34 have been rejected under 35 U.S.C. §102(e) as being anticipated by Petrovykh (U.S. Pat. Pub. No. 2008/0071917 “Petrovykh”). Claims 8-11, 22-28, and 35-38 have been rejected as unpatentable over Petrovykh in view of Landsman et al. (“Landsman”) (U.S. Pat. No. 6,785,659). Claims 1, 2, 8, 15, 22, 29, and 34 have been amended. After careful review of the claims and references, applicant believes that the claims are in allowable form and a Notice of Allowance is respectfully requested.

Claim 1 has been objected to for an informality and has been amended as suggested by the Examiner. Therefore, applicant respectfully submits that claim 1 is in allowable form.

Claims 1-7, 15-21, and 29-34 have been rejected as anticipated by Petrovykh, which describes a system for routing instant messages and reporting communications center presence information to clients. However, Petrovykh does not disclose automatically analyzing browser information, or automatically selecting an agent based upon the browser information. Claim 1 has been amended to clarify that the request for a human agent is a browser request and that the analyzing and selection are automatic and performed before assigning an agent (see e.g., paragraph 0012), and claim 2 has been amended to recite browser associated information (see e.g., paragraph 0020). Claims 8, 22, and 34 have been amended to clarify that the shared files relate to the requestor’s communications activity and are part of an associated file sharing network (see e.g., paragraph 0032 and 0034).

The first element of claims 1, 15, and 29 requires receiving from a browser a request on a website for communication with a human agent activated by the requester. The Office Action asserts that this is disclosed in paragraphs 0071-72; 0102 and 0126. However, paragraphs 0071-72 describe presence software and a web page provided as a response to a request for the web page where the webpage contains information about the center and a web form to take a user status request before the user initiates any contact. Thus, there is no disclosure of a request of a web site user for a human agent communication. Paragraph 0102 merely describes allowing agents to subscribe and a collection server for collecting user status states which may be subscribed to, while paragraph 0126 merely describes monitoring multiple user devices. Thus, Petrovykh does not disclose the claimed receiving of a request for communication with a human agent activated by the user from the browser of a website user, as claimed.

Regarding the second element of claims 1, 15 and 29, the Office Action asserts that analyzing browser associated information relating to the request is taught by paragraphs 0085; 0087; and 0189 of Petrovykh. However, Petrovykh does not teach automatically analyzing browser associated information. Paragraph 0085 of Petrovykh discloses presence reporting wherein a web form is presented on a web page regarding the reason for the contact with the web site submitted to a presence server, while paragraph 0087 analyzes the request and obtains agent availability data and sends it back to the presence server. None of this describes a request for human agent or analyzing browser associated information of a request for a human agent. Paragraph 0189 describes a proxy server routing an IM requesting communication but does not concern a request initiated from a web page for a session with a human agent of the website, and does not analyze browser information. Thus, there is no automatic, machine analysis of browser associated information related to the request for human agent. Therefore, this claimed feature of

automatic analysis is not disclosed by Petrovykh.

The third element of claims 1, 15 and 29, automatic selecting, is also missing from Petrovykh. The Office Action asserts that selecting a human agent for the communication session based upon a content of the analyzed browser associated information is taught by paragraphs 0168 and 0189 of Petrovykh. However, as discussed above, paragraph 0189 does not describe assigning based upon contact of the browser associated information. Further, paragraph 0168 describes a user interface 125 in which element 133 allows a client to enter general desires to agents, but does not mention selecting the agent based on browser related information. Thus, these independent claims 1, 15, and 29 are distinguishable over Petrovykh; as are all the dependent claims 2-14, 16-28, and 30-39.

The Office Action also asserts that Petrovykh in paragraphs 0126 and 0176 discloses retrieving a list of router identifiers defining a path from the requester to the website as claimed in claim 2. However, paragraph 0126 merely discusses monitoring multiple user devices, and paragraph 0176 merely describes ability to handle dual networks. It does not describe a list of router identifiers defining a path between the requester and the website or the URL and retrieved information from the browser as claimed in claims 2, 16, and 30. Similarly, with regard to claims 3, 4, 17, 18, 31, and 32, paragraph 0036 describes routing to an agent based on skill and availability, and paragraphs 120, 126, and 168 also do not mention the claimed identification of a locale of an IP router closest to the requester, or identifying an agent closest to the locale. Regarding claims 5 and 19, paragraphs 0083-85 of Petrovykh also do not mention or suggest the claimed analysis of the customer's browser's associated information to determine an organizational affiliation or a domain name of the customer (the Internet requester). Thus, these claims are believed to be further distinguishable over Petrovykh.

Claims 8-11, 22-25, and 35-38 have been rejected as being obvious over Petrovykh in view of Landsman. Landsman teaches a technique for implementing a networked client-server environment but does not teach any of the claim elements of the independent claims 1, 15, and 29. Further, with regard to claims 8-14, 22-28, and 34-38, Landsman at the cited Col. 11, pages 1-7, and Col. 19, lines 22-46 describe media and player files resident in the customer disk or browser RAM cache downloaded from the agent. Thus, this describes Landsman's Ad Controller agent that downloads ads to the customer but does not disclose the shared files related to communication activity of the requester generated by the requester's browser, and retrieved to the agent website when the website identifies itself as part of the file showing network as claimed in claims 8-14, 22-28, and 34-38. Therefore, claims 8-14, 22-28, and 34-38 are believed to be further distinguishable over the combination of Petrovykh and Landsman.

Closing Remarks

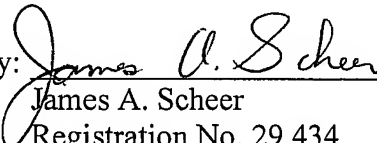
For the foregoing reasons, applicant submits that claims 1-38 are allowable and that the subject application is in condition for allowance, and earnestly solicits a Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

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